

REMARKS

This present amendment is being submitted to place the application in better condition for examination and to respond to the last Office Action dated February 6, 2003 in the applicant's immediate parent Patent Application Serial No. 10/056,714, filed October 24, 2001.

The Examiner in this application has, generally, consistently taken a position that the concept of guiding a group of individuals to a destination in an orderly and organized fashion has been shown by myriads of prior art references dealing with fire escapes and like emergency exit arrangements. In so doing, the Examiner seems to equate those references to the actual basic concept presented in this application. Those prior art references have been discussed in great detail in the various prior applications relating to the same applicant and all of those applications have been handled, essentially, by the same Examiner and examining group. Hence, the applicant will not repeat those remarks but merely incorporate same by reference herein.

One of the major shortcomings in each of the rejections which have been advanced to subject matter, such as that subject matter presented in Claims 1-5, is the fact that there is not prior art reference of record which teaches of the concept of organizing

individuals in a path and causing those individuals to reach a destination in advance of that path.

The concept of the invention, in its basic form, relies upon an end of the line element extending generally perpendicular to the direction of movement and guide forming elements defining the sides of the pathway and extending from the ends of the end of the line element. While the Examiner may contend that all of this is met by the prior art, it is to be noted that there is not one single reference which discloses these features. Indeed, there is absolutely no teaching in the prior art showing an end of the line element on a mat or other floor substrate and a plurality of lines extending from that end of the line element.

The Examiner has cited references which show carpets and other floor coverings having parallel borders on opposite sides thereof. This is an aesthetic addition and really does nothing to guide the individuals into a group. In contrast to these references, the applicant has already filed declarations showing the success of these devices and the effectiveness of the devices of the present invention. Again, the U.S. Patent and Trademark Office seems to have, thus far, conveniently overlooked those declaration and has given them no weight. It is believed that this position on the part of the U.S. Patent and Trademark Office is totally in error.

Each of Claims 1-5 have been amended to recite the fact that each of the pedestrian individuals in the line will wait their turn at the front end or the line, that is at the elongate member, until they are ready to be received at a destination in advance of that front end of the line. It is urged that in all of the prior art references cited by the Examiner, without one exception, this simple and basic concept is not met. In effect, the Examiner has to rely upon his or her own intuitive thinking to believe that this may not be patentable. And yet, if the invention was so obvious as the Examiner seems to suggest, the applicant again raises the inquiry as to why this problem existed for years in the prior art and, yet, it remained for the applicant to solve this problem. The fact must remain that contrary to the intuitive thinking of the Examiner, that the Examiner's conclusion is in error. Indeed, the fact that this invention is effective and has solved a problem which has not been solved by the prior art, would strongly suggest patentability.

As the Examiner is well aware, the current methods of guiding groups of individuals include, for example, poles and ropes, painted lines on a ground surface and the like. The irony is that these methods are not terribly effective. As indicated previously, painted lines quickly wear away and poles and ropes are difficult to use, oftentimes subject to theft or even removal. Applicant cannot point to any specific fact as to why the present invention

is really effective. It appears as though most people do wish to be in an organized pathway to reach a destination in advance of that pathway. Hence, when they observe a substrate having an end of the line element and a pair of path forming guides on the sides, they immediately walk in that pathway. There is no need for policing. Obviously, there will always be the few unruly individuals who decide to ignore the defined pathway, but those same individuals will equally ignore other forms of barriers such as poles and ropes. Nevertheless, the vast majority of people do enter the pathway and move in an organized fashion to the end of the line element. It is therefore believed that Claims 1-5 define allowable subject matter and allowance therefore is respectfully solicited.

The applicant has added new Claims 13-23 which add additional features to the concept presented in Claim 1. These claims all recited features which are not taught by the art, such as the fact that the pathway is easily arranged to conform to another existing environment. These claims recite that the elements are easily maneuvered, even by non-ambulatory individuals. It is therefore believed that Claims 1-5 and 20-24 are allowable and allowance therefore is respectfully solicited.

The applicant has amended both Claims 6 and 13 to more fully bring out those features regarding the informational message. In particular, the message is recited as being one related to the


goods or services of the facility being visited or which have messages identifying a direction of movement. In particular, and in almost all cases, the messages will be that of promotional and advertising messages. It is interesting to note that the Examiner has attempted to rely upon the existence of informational messages on a floor surface. However, and although the Examiner may conclude that it is merely a matter of substitution, there is no guidance pathway controlling movement of people in any of the prior art references, along with the informational messages. This has also proved to be effective in that the individuals who are waiting can at least examine the informational messages on the substrate as they move. Thus, a series of informational messages can be incorporated in the guidance pathway. It is urged that while messages may have existed in the prior art, they are not informational messages in a guidance path and related to the very purpose of the individual being in the facility or other establishment. Consequently, it is believed that the second group of claims is equally patentable and allowance therefore is respectfully solicited.

The applicant has added new claims 24-26 which add additional features regarding the guidance pathway. Thus, and for the reasons advanced regarding allowance of Claims 6 and 13, it is believed that these new dependent claims are also allowable. Allowance therefore is respectfully solicited.

In view of the foregoing, favorable reconsideration and allowance is respectfully solicited.

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Respectfully submitted,

  
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